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16018 U.S. PTO  
10/767067

012804

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

January 28, 2004

Attorney Docket No.: MP0396

**Mail Stop Patent Application**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Presented for filing is a new patent application claiming priority from a provisional patent application of:

Applicant: HEMANTH SAMPATH and RAVI NARASIMHAN

Title: SCALABLE SPACE-FREQUENCY CODING FOR MIMO SYSTEMS

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Application Cover Sheet	1
Specification	19
Claims	24
Abstract	1
Declaration	3
Drawing(s)	6

**Enclosures:**

- Assignment cover sheet and an assignment, 2 pages, and a separate \$40 fee with Submission of Credit Card Payment..
- Assignment cover sheet and an assignment, 3 pages, and a separate \$40 fee with Submission of Credit Card Payment.
- New disclosure information, including:
  - Information Disclosure Statement, 1 page.
  - PTO-1449, 1 page.
  - References, 12 items enclosed (13 items listed).
- Request for Non-Publication.
- Postcards (6).

CERTIFICATE OF MAILING BY EXPRESS MAIL

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Commissioner for Patents  
January 28, 2004  
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Under 35 USC §119(e)(1), this application claims the benefit of prior U.S. provisional application 60/494,204, filed August 11, 2003.

Total Claims 94; Independent Claims 8.

Basic filing fee	\$770
Total claims in excess of 20 times \$18	\$1332
Independent claims in excess of 3 times \$86	\$430
Fee for multiple dependent claims	\$0
Total filing fee:	\$2532

A Submission of Credit Card Payment for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 678-5070.

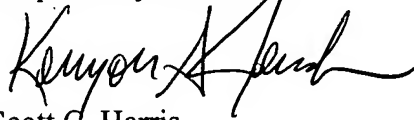
Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please direct all correspondence to the following:

23624

PTO Customer Number

Respectfully submitted,



Scott C. Harris  
Reg. No. 32,030

/BY  
KENYON S. JENCKES  
REG. NO. 41,873

Enclosures  
SCH/KSJ/smr

10362397.doc

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Sampath et al.

Title Scalable Space-Frequency Coding for MIMO Systems

Atty Docket Number MP0396

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

January 28, 2004

Date

Signature

/BY  
KENYON S. JENCKES  
REG. NO. 41,873

Scott C. Harris, Reg. No. 32,030

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**